

Former U.S. Official Drops Libya as Client After Outcry

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The State Department's former top lawyer, Abraham D. Sofaer, yesterday dropped the government of Libya as a legal client following a storm of condemnation from critics including families of the victims of Pan Am Flight 103, allegedly downed by Libyan terrorists in 1988.

"Regrettably, the public perception of this undertaking and the reaction of government authorities has been so negative as to lead us to conclude that we could not effectively carry out this representation," said a statement from Sofaer's law firm, Hughes Hubbard & Reed.

Sofaer, who did not return telephone calls on the subject yesterday, was the department's legal counsel at

the time of the bombing of Pan Am 103 over Lockerbie, Scotland. The crash killed 270 people, of whom 189 were Americans.

In addition, Sofaer, who was at the State Department from 1985 to 1990, was one of the architects of the department's 1986 economic sanctions against Libya.

He helped write the legal justification for the U.S. military strike on Tripoli in 1986, the event some experts believe was the motive for Libya's alleged bombing of the Pan Am flight.

Sofaer was not the first Washington lawyer Libya tried to hire. Some of Washington's leading legal lights had been approached in the last year or so. Brendan Sullivan, former Sen. John Culver, Thomas Hale Boggs Jr.

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and others reportedly were offered retainers of as much as \$1.5 million.

All of them turned down Libya.

"Life is too short to represent people who get you in trouble," said Boggs, whose firm, Patton, Boggs & Blow, has been approached by a number of intermediaries for the Libyans.

The reaction to Sofaer's decision included a swipe by Tonight Show television host Jay Leno, who on Thursday cited Sofaer as fresh proof that lawyers will do anything for money. Experts on legal ethics expressed concern about Sofaer switching sides.

Washington Post columnist Jim Hoagland, who described Sofaer's decision in a column Wednesday, compared Libya's snagging Sofaer as

comparable to the movie "Indecent Proposal," in which a wealthy man offers a married woman \$1 million for a night of love. Families of Pan Am 103 victims planned to picket Sofaer's District office on Monday.

"I'm furious," said Susan Cohen, a New Jersey woman whose 20-year-old daughter was killed in the crash. Speaking before Sofaer changed course, she said, "I think this is treason. . . . Sofaer is going to work for a terrorist country that has American blood on its hands. It's disgusting."

Some legal experts and Libya watchers were aghast at the news that Sofaer, a former federal judge and assistant U.S. attorney in the Southern District of New York, had agreed to represent the government of Moammar Gadhafi.

"It's the kind of thing that makes lawyers look bad," said John Harrison, a teacher of legal ethics at Georgetown University School of Law.

"If it's not a conflict of interest, it's certainly a question of conflicting duties," Harrison said. He noted that if Sofaer had inside information about Pan Am 103 from his State Department days, it was impossible for him to resolve the conflict without a waiver from the government.

Sofaer had not consulted with State Department officials before taking on Libya as a client, but talked with them after criticism began, according to department officials.

"There's no question [Sofaer] was involved in shaping the department's legal analysis of Pan Am 103 and of U.S. response to certain Libyan ter-

rorist activities," said Michael McCurry, a State Department spokesman. He said the department had not yet formulated a response to an inquiry from Sofaer on Thursday requesting the department's view.

G. Henry M. Schuler, a Libya expert at the Center for Strategic and International Studies, called Sofaer's initial decision "outrageous. It creates a terrible, terrible impression and sets back efforts to isolate Gadhafi just when the president has pledged to take a strong stand."

Schuler added, "no matter how [Sofaer] characterizes his representation, the Libyans see it as a way to have entree in important circles."

Sofaer's firm said its intention was to help the families of Pan Am 103's victims by devising some method of

compensation from Libya and helping to resolve the question of extraditing two Libyan intelligence officers charged with the bombing in U.S. and British indictments.

"We're not going to defend Libya's conduct or to fight the families," John M. Townsend, a partner at the firm said only hours before the firm withdrew from representing the country.

Some lawyers who were approached by Libya said they were told Gadhafi's purpose in hiring a Washington law firm was ultimately to soften up the U.S. government and persuade it to ease UN economic sanctions imposed in 1991. Libya's strategy was to pay off victims' families, and work out a deal on extradition of the alleged terrorists, said the lawyers, who asked to remain unidentified.